

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

MARCO McKINLEY, by Next Friend and
Mother, AVIS LOVE; and AVIS LOVE,

Plaintiffs,

v.

MARVIN LOTT, JAMES WARD,
DARYL DALLAS, Individually and as
Principal and Teachers of Brainerd High
School; OFFICER CHAD SUTTLES,
Individually and as a Chattanooga City
Police Officer and School Resource
Officer; and the HAMILTON COUNTY
DEPARTMENT OF EDUCATION,

Defendants.

No. 1:03-cv-269

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O R D E R

In accordance with the accompanying memorandum, the motion of defendants; Marvin Lott, individually and as Principal of Brainerd High School; James Ward, individually and as a teacher at Brainerd High School; Darrell Dallas, individually and as a teacher at Brainerd High School and the Hamilton County (Tennessee) Department of Education, (“the HCDOE defendants”) for a summary judgment [Doc. No. 51] on the remaining claims of the plaintiff, Marco McKinley (“McKinley”) against them is **GRANTED**. McKinley’s remaining claims against the HCDOE defendants are **DISMISSED WITH PREJUDICE**. The HCDOE defendants are entitled to **JUDGMENT** in their favor. Costs are awarded to the HCDOE defendants.

McKinley's claims against defendant Officer Chad Suttles, individually and as a Chattanooga City Police Officer and School Resource Officer, are not affected by this order and are the sole remaining claims in this action.

SO ORDERED.

ENTER this *2nd day of August, 2005*.

/s/ R. Allan Edgar
R. ALLAN EDGAR
CHIEF UNITED STATES DISTRICT JUDGE